

CITY OF SAN ANTONIO
Zoning Commission Agenda

Cliff Morton Development and Business Services Center
1901 S. Alamo Street
First Floor

May 19, 2009
Tuesday, 12:15 PM

ZONING COMMISSIONERS

Michael Westheimer – District 1	Vacant – District 7
Barbara Hawkins – District 2	Ramiro Valadez, III – District 8
Jim Myers – District 4	Susan Wright – District 9
Joe Valadez – District 5	Milton R. McFarland – District 10
Christopher Martinez – District 6	James Gray – District Mayor
Don Gadberry – District 3	
Chairman	

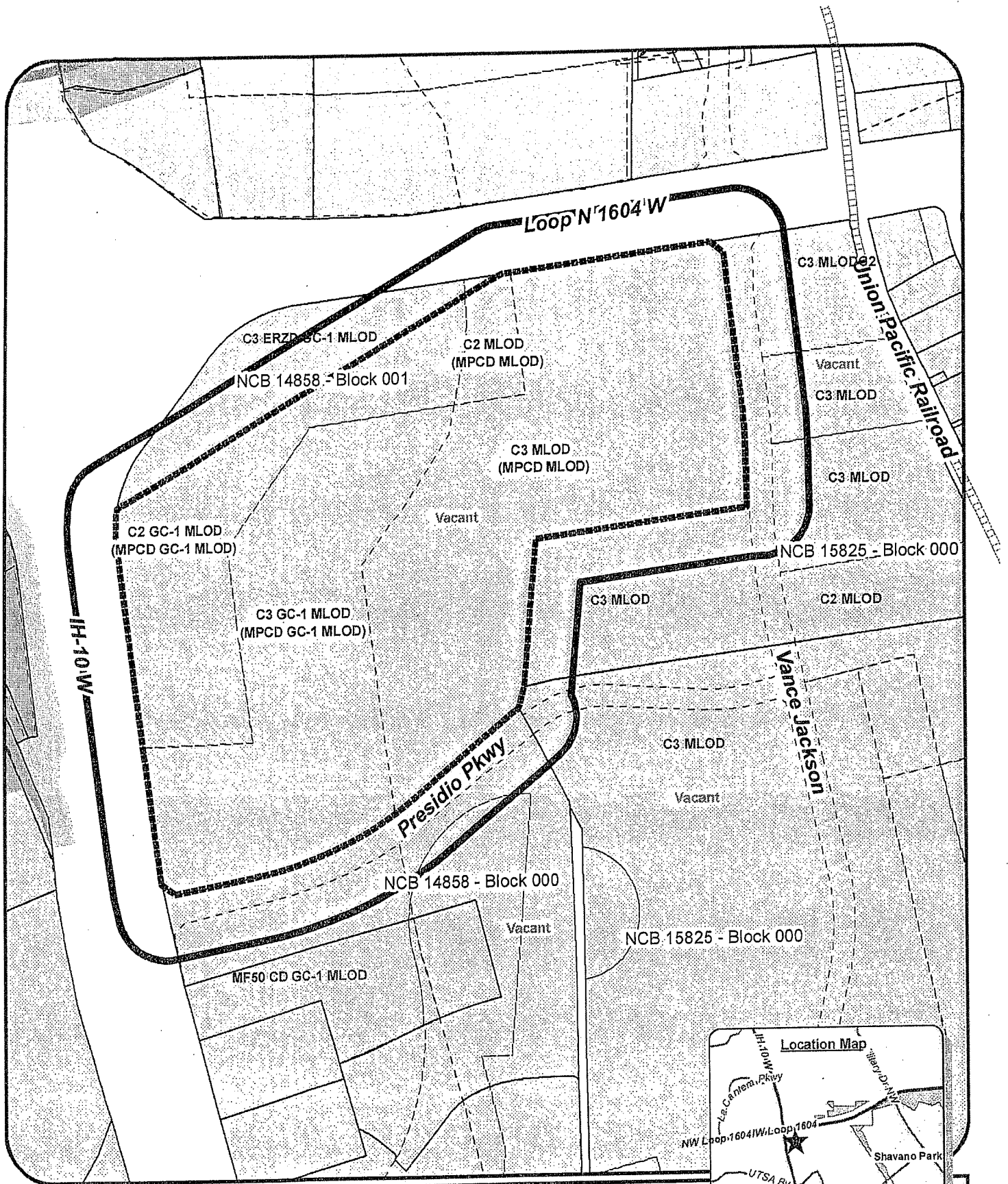
1. **12:15 P.M. Tobin Room** - Work Session briefing by Lackland Air Force Base representatives on the Lackland Air Field Mission and other related items and discussion of policies and administrative procedures and any items for consideration on the agenda for May 19, 2009.
2. 1:00 P.M. Board Room– Call to Order
3. Roll Call.
4. Pledge of Allegiance.
5. Approval of May 5, 2009 Zoning Commission Minutes.
6. **ZONING CASE NUMBER Z2008180:** A request for a change in zoning from “C-2 MLOD-1” Commercial, Camp Bullis Military Lighting Overlay District, “C-2 GC-1 MLOD-1” Commercial Hill Country Gateway Corridor Overlay, Camp Bullis Military Lighting Overlay District, “C-3 MLOD-1” General Commercial Camp Bullis Military Lighting Overlay District and “C-3 GC-1 MLOD-1” General Commercial Hill Country Gateway Corridor Overlay, Camp Bullis Military Lighting Overlay District to “MPCD MLOD-1” Master Planned Community District, Camp Bullis Military Lighting Overlay District and “MPCD GC-1 MLOD-1” Master Planned Community District Hill Country Gateway Corridor Overlay Camp Bullis Military Lighting Overlay District on 89.367 acres out of Lot 5, Block 1, NCB 14858, in the 15000 Block of Interstate Highway 10, the 5000 Block of Loop 1604 West, the 5400 Block of Presidio Parkway and the 15700 Block of Vance Jackson Road. (Council District 8) Pg. 5
7. **ZONING CASE NUMBER Z2009063:** A request for a change in zoning from “R-6” Residential Single-Family District to “C-2” Commercial District on 1.556 acres out of NCB 14702, 9545 Huebner Road. (Council District 8) Pg. 9

8. **ZONING CASE NUMBER Z2009088:** A request for a change in zoning from "R-6 MLOD-1" Residential Single-Family Camp Bullis Military Lighting Overlay District 1 and "R-6 GC-1 MLOD-1" Residential Single-Family Hill Country Gateway Corridor Overlay Camp Bullis Military Lighting Overlay District 1 to "C-3 MLOD-1" General Commercial Camp Bullis Military Lighting Overlay District 1 and "C-3 GC-1 MLOD-1" General Commercial Hill Country Gateway Corridor Overlay Camp Bullis Military Lighting Overlay District 1 on 3.584 acres out of NCB 34761 and 0.29 of an acre out of NCB 34780 and 0.104 of an acre out of CB 4761, 6194 Old Camp Bullis Road. (Council District 8) Pg. 13
9. **ZONING CASE NUMBER Z2009090:** A request for a change in zoning from "C-3NA" General Commercial Nonalcoholic Sales District, "C-3R" Commercial Restrictive Alcoholic Sales District and "C-3" General Commercial District to "MF-33" Multi-Family District on 8.077 acres out of NCB 18056, 7800 Block of Culebra Road and 7700 Block of Pipers Creek. (Council District 6) Pg. 17
10. **ZONING CASE NUMBER Z2009092:** A request for a change in zoning from "C-3" General Commercial District to "I-1" General Industrial District on a 0.472 acre tract of land out of Lot 9, Block 1, NCB 17210, 12200 Bulverde Road. (Council District 10) Pg. 19
11. **ZONING CASE NUMBER Z2009093 CD:** A request for a change in zoning from "I-1" General Industrial District to "C-3NA CD" General Commercial District, Nonalcoholic Sales with a Conditional Use for warehousing on Lot 52, Block 7, NCB 15930 save and except that portion of 3.122 acres out of NCB 15724 located within Lot 52, 12200 Crownpoint. (Council District 10) Pg. 21
12. **ZONING CASE NUMBER Z2009094:** A request for a change in zoning from "R-4" Residential Single-Family District and "I-1" General Industrial District to "C-2" Commercial District on Lots 42, 43, 44, 87 and 88, Block 9, NCB 3128 and Lot A-15, NCB 3852, 2701 South Presa Street. (Council District 5) Pg. 25
13. **ZONING CASE NUMBER Z2009095:** A request for a change in zoning from "I-1" General Industrial District to "C-3" General Commercial District on the south 54.9 feet of the north 108.9 feet of Lots 13, 14 and 15, Block 24, NCB 2094, 1506 North Zarzamora. (Council District 1) Pg. 29
14. **ZONING CASE NUMBER Z2009096:** A request for a change in zoning from "C-3" General Commercial District, "C-3NA" General Commercial Nonalcoholic Sales District and "MF-33" Multi-Family District to "C-3" General Commercial District on Lot 3, Block 2, NCB 17120, 5055 NW Loop 410. (Council District 7) Pg. 31
15. **ZONING CASE NUMBER Z2009097:** A request for a change in zoning from "R-5" Residential Single-Family District and "C-3" General Commercial District to "C-3" General Commercial District (15.124 acres) and "MF-33" Multi-Family District (12.116 acres) on 27.24 acres out of NCB 10675, NCB 10677, NCB 13143, and NCB 13144, 3860 IH 10 East. (Council District 2) Pg. 33
16. **ZONING CASE NUMBER Z2009098:** A request for a change in zoning from "PUD R-6" Planned Unit Development Residential Single Family District to "MF-40" Multi-Family District on 4.281 acres out of Tract 16 and Tract 17, NCB 8694, 6400 Block of North Vandiver Road. (Council District 2) Pg. 35
17. **ZONING CASE NUMBER Z2009100 S:** A request for a change in zoning from "I-2" Heavy Industrial District "R-5" Residential Single Family District to "I-2 S" Heavy Industrial District with a Specific Use Authorization for Petroleum Manufacturing or Processing on Lot 4, NCB 10600, 4851 Emil Street. (Council District 2) Pg. 39

18. Briefing on Phase 1 of the Nogalitos/Zarzamora Comprehensive Rezoning Case.
19. Director's Report – No issue to report.
20. Executive Session: consultation on attorney-client matters (real estate, litigation, personnel and security matters) as well as any of the above agenda items may be discussed.
21. **ADJOURNMENT**

Accessibility Statement

This meeting is wheelchair accessible. Accessible entrances are located at the front and side of the building at 1901 South Alamo Street. Accessible parking spaces are located at the front and rear of the building. **Auxiliary Aids and Services are available upon request (Interpreters for the Deaf must be requested forty-eight [48] hours prior to the meeting).** For Assistance, Call (210) 207-7245 Voice/TTY.



Zoning Case Notification Plan

Case Z-2008-180

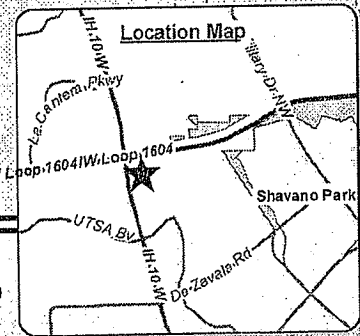
Council District 8

Scale: 1" approx. = 500 Feet

Subject Property Legal Description(s): NCB 14858 - Block 001 - Lot 5

Legend

Subject Property	=====	(89.367 Acres)
200' Notification Buffer	=====	
Current Zoning	TEXT	
Requested Zoning Change	(TEXT)	
100-Year FEMA Floodplain	=====	



Planning & Development Services Dept
City of San Antonio
(04/28/2009 - E Hart)

Note: Requested Zoning Change is Within Camp Bullis 5 Mile Awareness Zone

CASE NO: Z2008180

Final Staff Recommendation - Zoning Commission

Date: May 19, 2009

Council District 8

Ferguson Map: 514 D5

Applicant Name:
Kaufman & Associates, Inc.

Owner Name:
IH-10 Loop 1604 Partners, Ltd.

Zoning Request From "C-2 MLOD-1" Commercial, Camp Bullis Military Lighting Overlay District, "C-2 GC-1 MLOD-1" Commercial Hill Country Gateway Corridor Overlay, Camp Bullis Military Lighting Overlay District, "C-3 MLOD-1" General Commercial Camp Bullis Military Lighting Overlay District and "C-3 GC-1 MLOD-1" General Commercial Hill Country Gateway Corridor Overlay, Camp Bullis Military Lighting Overlay District to "MPCD MLOD-1" Master Planned Community District, Camp Bullis Military Lighting Overlay District and "MPCD GC-1 MLOD-1" Master Planned Community District Hill Country Gateway Corridor Overlay Camp Bullis Military Lighting Overlay District.

Property Location: 89.367 acres out of Lot 5, Block 1, NCB 14858

15000 Block of Interstate Highway 10, 5000 Block of Loop 1604 West, 5400 Block of Presidio Parkway and 15700 Block of Vance Jackson Road

In the southeast quadrant of Interstate Highway 10 and Loop 1604 West with frontage on Presidio Parkway and Vance Jackson Road

Proposal: To develop a Master Planned Community District

Neighborhood Association: None

Neighborhood Plan: None

TIA Statement: A Level 3 Traffic Impact Analysis (TIA) study has been submitted and was approved on June 30, 2008.

Staff Recommendation:

Approval

Master Planned Community Districts promote master planned communities that typically guarantee a comprehensive development that promotes compatibility and inner-connectivity within a mixed use project, traits that may be unavailable when lands are rezoned and developed independent of each other.

The project site, consisting of about 89.367 acres, was annexed in February of 1971 and December of 1972, and zoned to "B-2" Business District and "B-3" Business District in 1973. The adoption of the 2001 UDC resulted in the "B-2" Business District and "B-3" Business District being converted to "C-2" Commercial District and "C-3" General Commercial District. In 2003, the Hill Country Gateway Corridor Overlay District was applied, resulting in the removal of the Urban Corridor overlay which had been applied in 1993. The Camp Bullis Military Lighting Overlay District was applied in 2009.

The purpose of the proposed rezone to MPCD is to develop a master planned community with a variety of multi-family dwellings (about 5.96 acres), and commercial uses (about 55.80 acres). Mixed uses are proposed on an additional 27.61 acres. Parks and designated open space are required in the MPCD on a percentage basis. The Landmark Master Planned Community District parkland/open space requirement is 19.80 acres. About 14.86 acres, has been identified by the applicant as parkland/open space, trails and park amenities within the plan and 4.97 acres of off-site parkland/open space, trails and park amenities.

The applicant submitted an MPCD site plan with the zoning application. This site plan must be reviewed and

CASE NO: Z2008180

Final Staff Recommendation - Zoning Commission

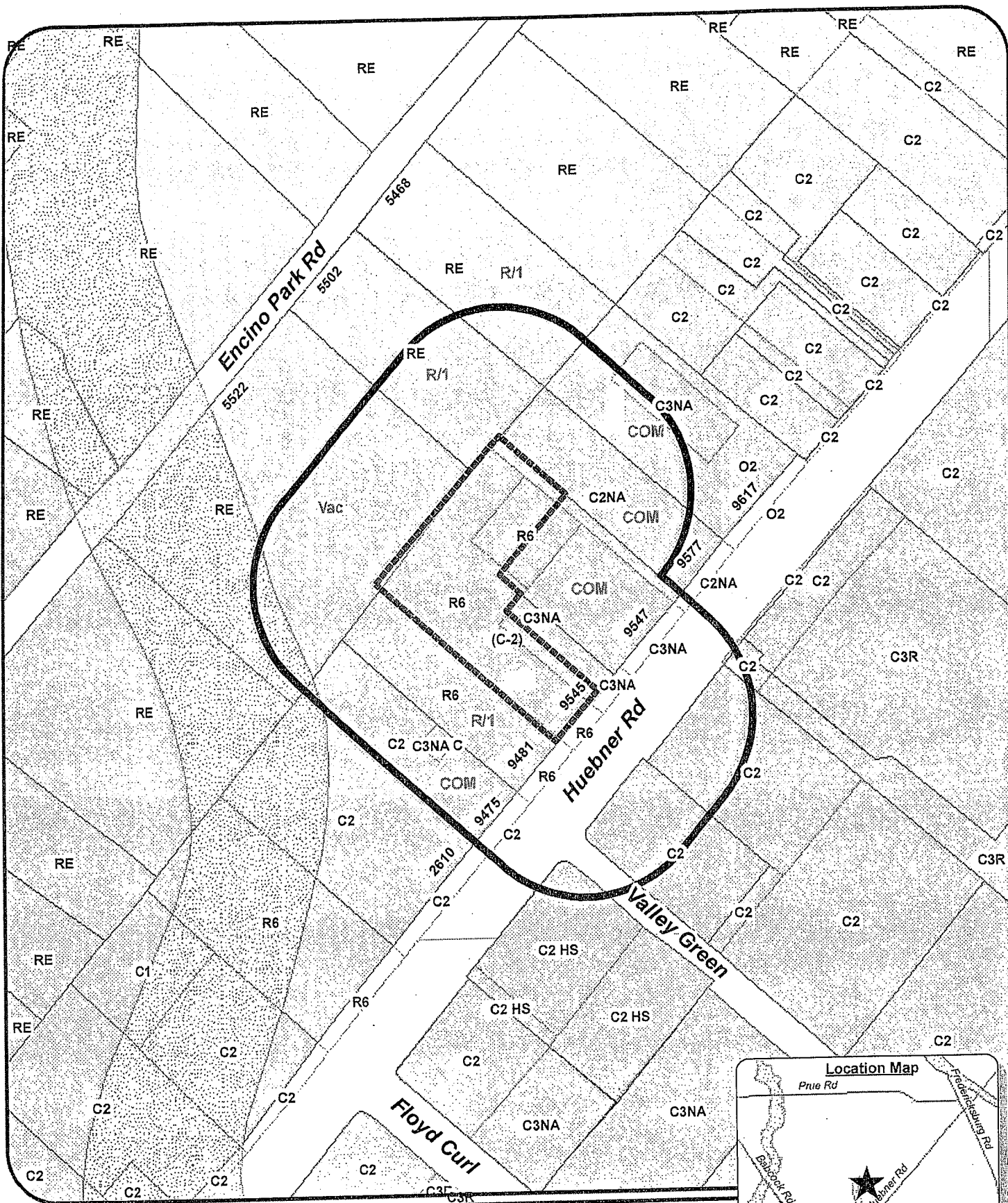
receive a recommendation from the Zoning Commission. As the site plan is a component of the MPCD zoning district, the City Council must also consider and take action on the site plan and language that reflects a mandatory adherence to the site plan must be contained in the zoning ordinance. The minimum requirements of a site plan are that proposed land uses, including single and multi-family residential uses, office uses and commercial uses must be identified on the plan by location, type, density and size. Should an applicant request an amendment to an approved MPCD site plan, they may do so administratively if the city determines the amendment is minor. Should the amendment be major, the criteria being listed in Section 35-345(e) (2) of the Unified Development Code, the proposed amendment must be returned to the Zoning Commission and City Council for recommendation and consideration.

Staff believes that the proposed use and zoning districts are appropriate for the project location as it is consistent with other existing uses within the commercial node located at the intersection of Interstate Highway 10 and Loop 1604 West.

Due to the subject property's location within the Camp Bullis Awareness Zone, this application was reviewed by the City's Office of Military Affairs and the Camp Bullis Military Installation. Seeing that the subject property is located south of Loop 1604 and is not immediately adjacent to Camp Bullis, the Garrison Commander has no comment on the zoning request.

City Council has requested that this case be expedited. It is scheduled to be considered by City Council on May 21, 2009.

CASE MANAGER : Pedro Vega 207-7980



Zoning Case Notification Plan

Case Z2009063

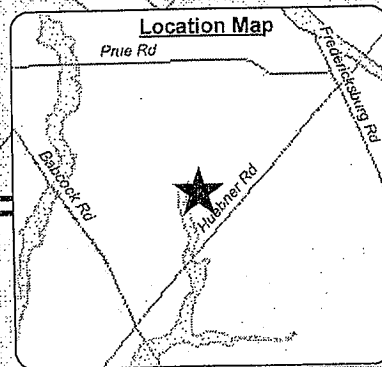
Council District 8

Scale: 1" approx. = 100'

Subject Property Legal Description(s): 1.556 acre tract of Lots 13 & 14.

Legend

- Subject Property (1.556 acres)
- 200' Notification Buffer
- Current Zoning R-6
- Requested Zoning Change (C-2)
- 100-Year FEMA Floodplain



City of San Antonio
Planning - Development Services Dept.
2/12/2009
D. E. Castillo

CASE NO: Z2009063

Final Staff Recommendation - Zoning Commission

Date: May 19, 2009

Zoning Commission continuance (Applicant's Request)
from March 3, March 17 and May 5, 2009.

Council District: 8

Ferguson Map: 548 D6

Applicant Name:
Kenneth Higby

Owner Name:
Seaside Realty, L. P.

Zoning Request: From "R-6" Residential Single-Family District to "C-2" Commercial District.

Property Location: 1.556 acres out of NCB 14702

9545 Huebner Road

On the north side of Huebner Road, approximately 150 feet east of the Valley Green Road Intersection

Proposal: To allow for a medical office building

Neigh. Assoc. Oakland Estates Neighborhood Association

Neigh. Plan Oakland Estates Neighborhood Plan

TIA Statement: A Traffic Impact Analysis (TIA) is not required.

Staff Recommendation:

Approval

The subject property was annexed in 1972, is undeveloped and totals approximately 1.556 acres. Upon adoption of the 2001 Unified Development Code, the existing "R-6" Residential Single-Family District zoning converted from the previous "Temp R-1" Temporary Single Family Residence District. Property directly to the north and west of the subject property is zoned "RE" Residential Estate District and is part of the Oakland Estates subdivision. Property to the south is occupied by a single-family dwelling and is zoned "R-6" Residential Single-Family District. Property immediately to the west is occupied by a small dentist office zoned "C-3 NA" General Commercial Nonalcoholic Sales District and a small retail strip center zoned "C-2NA" Commercial Nonalcoholic Sales District. There is a new medical office park located directly across Huebner Road that is zoned "C-2" Commercial District. There are various commercial uses along Huebner Road between IH-10 and Babcock Road.

The applicant has applied for the "C-2" zoning in order to allow a medical office development. Staff finds the request to be appropriate given the subject property's location along Huebner Road, a Primary Arterial Type A, coupled with the prevalence of commercial zoning and uses along this segment of this major arterial. Additionally, the Oakland Estates Neighborhood Plan calls for Community Commercial land use for the subject property, which allows for office uses, professional services and retail uses of moderate intensity and impact. The requested "C-2" zoning is consistent with this land use category.

If this zoning change request is approved, a Type C buffer will be required along the northwest property line and a Type B buffer will be required along the southwest property line of the subject property to screen and separate the requested zoning district from adjoining single-family residential zoning districts.

CASE MANAGER : Leslie Zavala 207-0215

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2009063

Address: 9545 Huebner Road

Existing Zoning: R-6

Requested Zoning: C-2

Registered Neighborhood Association(s): Oakland Estates

Neighborhood/Community/Perimeter Plan: Oakland Estates Neighborhood Plan

Future Land Use for the site: Community Commercial

Analysis:

The applicant has requested a C-2 land use designation to develop a medical office building. The subject property is designated Community Commercial. The surrounding land use designations are also Community Commercial. Community Commercial provides for offices, professional services, and retail uses of moderate intensity and impact. Examples include a grocery store, a medical office, music store, shoe store, nursery, or mailing services store. According to the Oakland Estates Neighborhood Plan, Community Commercial is to be located along arterials.

The designation for Community Commercial would help to facilitate the transition of the corridor to desired business outlined in the plan. Due to business type, proximity to the Medical Center, and location along a major thoroughfare, the incorporation of a medical office facility would result in an increase of beneficial activity.

☒ Request conforms to Land Use Plan

☐ Request does not conform to Land Use Plan

☐ Consistency not required because base zoning not changing

Staff Recommendation:

☒ Approval

☐ Denial

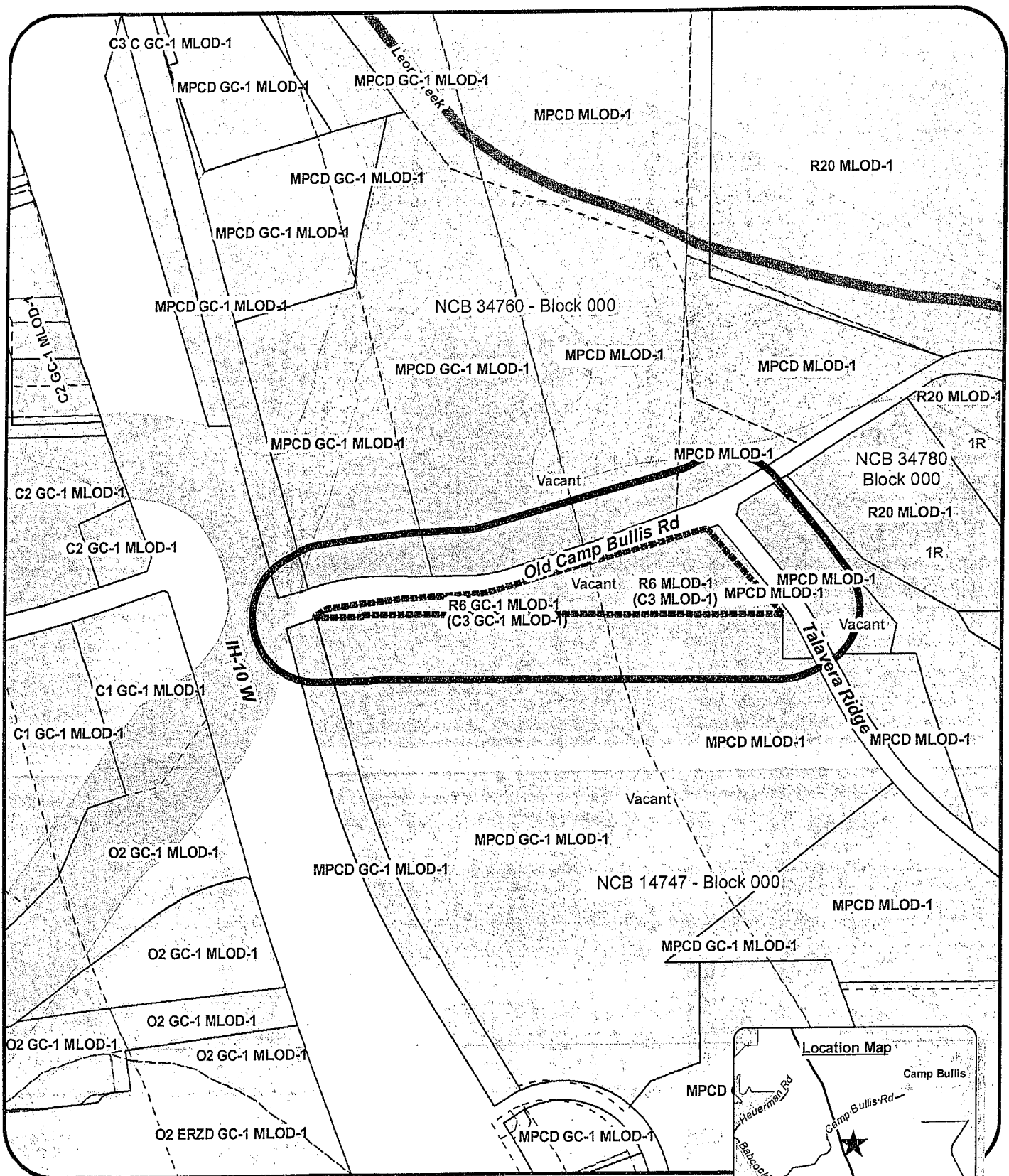
Reviewer: Brad Smilgin

Title: Planner

Date: 02/03/09

Manager Review: Nina Nixon-Mendez

Date: 02/18/09



Zoning Case Notification Plan

Case Z2009088

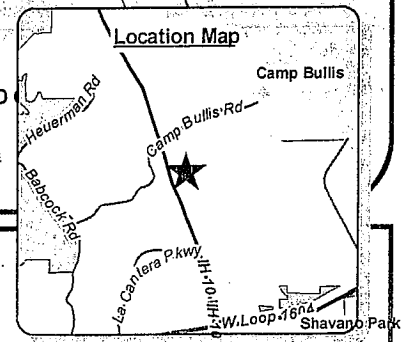
Council District 8

Scale: 1" approx. = 400 Feet

Subject Property Legal Description(s): NCB 34761 - Block 000 - Parcel P-3 (3.584 AC) and
NCB 34780 - Block 000 - Parcel P-3 (0.394 AC)

Legend

- Subject Property (3.978 Acres)
- 200' Notification Buffer
- Current Zoning TEXT
- Requested Zoning Change TEXT
- 100-Year FEMA Floodplain



Planning & Development Services Dept
City of San Antonio
(05/04/2009 - E Hart)

CASE NO: Z2009088

Final Staff Recommendation - Zoning Commission

Date: May 19, 2009

Zoning Commission continuance (applicant's request)
from May 5, 2009

Council District: 8

Ferguson Map: 514 C1

Applicant Name:

Owner Name:

Kaufman & Killen, Inc.

Old Camp Bullis Partners, Ltd. & CPS Energy

Zoning Request: From "R-6 MLOD-1" Residential Single-Family Military Lighting Overlay District-1 and "R-6 GC-1 MLOD-1" Residential Single-Family Hill Country Gateway Corridor Overlay Military Lighting Overlay District-1 to "C-3 MLOD-1" General Commercial Military Lighting Overlay District-1 and "C-3 GC-1 MLOD-1" General Commercial Hill Country Gateway Corridor Overlay Military Lighting Overlay District-1.

Property Location: 3.584 acres out of NCB 34761, and 0.29 of an acre out of NCB 34780, and 0.104 of an acre out of CB 4761

6194 Old Camp Bullis Road

On the south side of Old Camp Bullis Road, approximately 100 feet east of IH-10

Proposal: To allow commercial development

Neigh. Assoc. Forest Crest Neighborhood Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis (TIA) is not required.

Staff Recommendation:

Denial of "C-3" General Commercial District, with an alternate recommendation of "C-2" Commercial District. The applicant has indicated the possibility of developing a hotel on the site, which would require a Specific Use Authorization in "C-2". Staff will support "C-2 S" with a Specific Use Authorization for a Hotel, if the applicant submits all required documentation relating to such a request.

The subject property consists of approximately 4 acres of undeveloped land located on the south side of Old Camp Bullis Road east of the IH 10 access road. The property was annexed in December 1998, per Ordinance 88824; and was originally zoned "Temp R-1" Single Family Residence District. Upon adoption of the 2001 Unified Development Code, the previous zoning converted to the current "R-6" Residential Single-Family District. A 2003 City-initiated zoning case applied the "GC-1" Hill Country Gateway Corridor Overlay District to a portion of the subject property; while a 2009 City-initiated zoning case applied the "MLOD-1" Military Lighting Overlay District-1 to the entire property and surrounding area. Surrounding zoning includes "MPCD" Master Planned Community District to the north, east, and south; with "R-20" Residential Single-Family District farther to the east along Old Camp Bullis Road. Properties along the west side of IH-10 are zoned for commercial and office uses. Surrounding land uses include vacant and undeveloped land to the north, east, and south. Farther to the east are single-family homes on large lots; while, farther to the south there are office and commercial uses that are part of The Rim development. The subject property is located within the Camp Bullis Awareness Zone/ Military Influence Area. In accordance with the signed Memorandum of Understanding between Fort Sam Houston and the City of San Antonio, the Military did not review the zoning request because the tract is smaller than 10 acres and is not immediately adjacent to Camp Bullis.

Staff finds the requested zoning to be too intense for the property's location. The "C-3" zoning district is consistent with Regional Commercial land uses, which are most appropriately located on large-acreage lots at

CASE NO: Z2009088

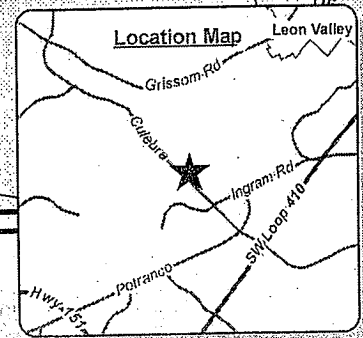
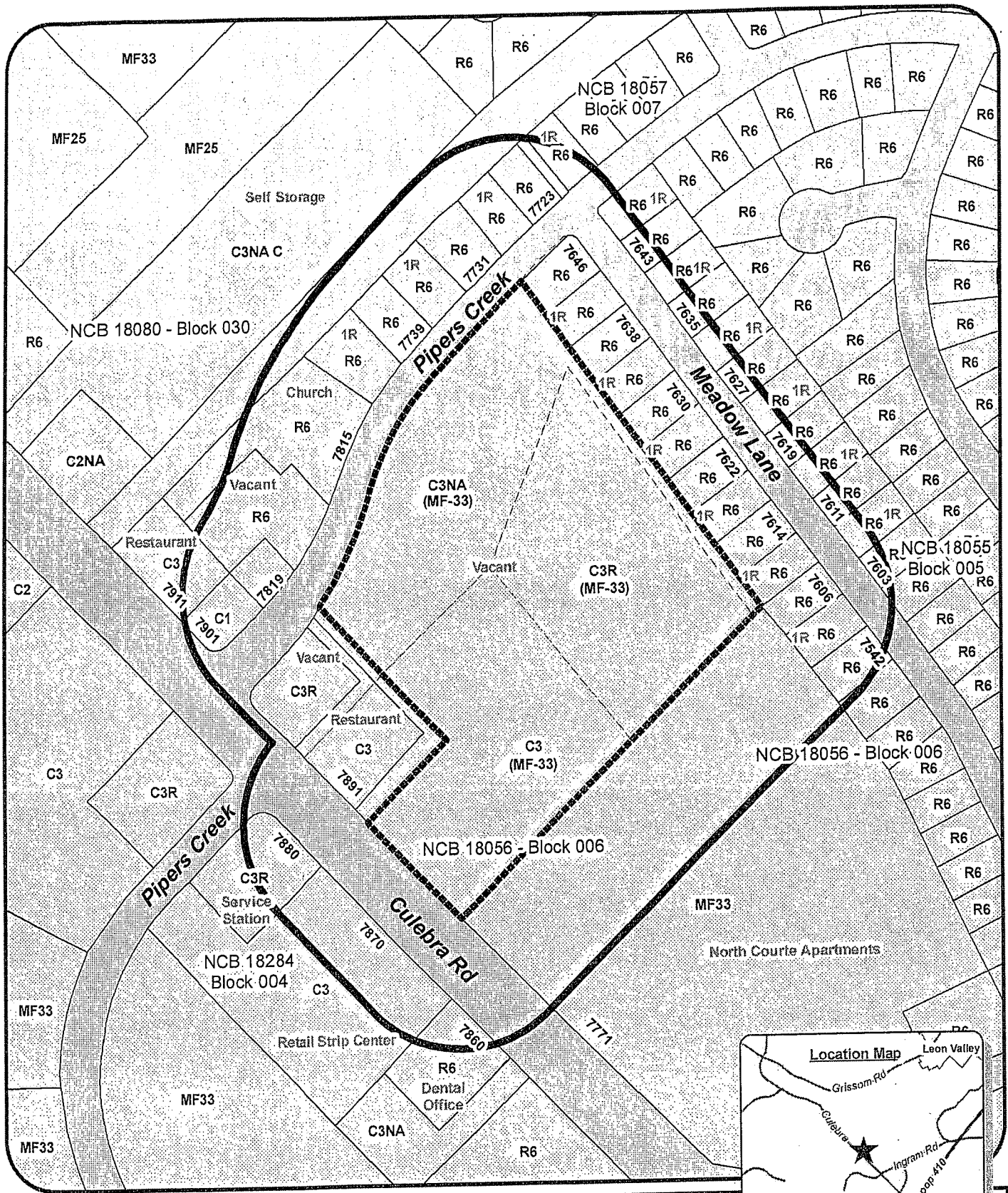
Final Staff Recommendation - Zoning Commission

intersections of highways and major arterials. Although the subject property is located near the IH 10 access road, Old Camp Bullis Road is not a major arterial thoroughfare and is, in fact, a private road. The subject property's location is more appropriate for Community Commercial uses, which would be consistent with the less-intense "C-2" Commercial District.

Staff supports rezoning of the property to allow for commercial development given the property's location and surrounding zoning. The property is located along a freeway, in an area that is currently undergoing commercial and office development. The surrounding "MPCD" zoning district allows a range of uses including residential single-family, multi-family, office, and commercial uses. The "MPCD" areas directly abutting and adjacent to the subject property are identified on the City Council-approved site plan as commercial uses to the north and east of the subject property, office uses to the south and southwest, with high density multi-family uses located to the southeast along Talavera Ridge. Rezoning the subject property to "C-2" would be consistent with these surrounding development patterns.

There are issues regarding access to the subject property. The subject property does not have ingress/egress from the IH 10 access road. Old Camp Bullis Road is a private roadway, although it is generally open for public use and the subject property owner has an access easement from Old Camp Bullis Road to the subject property. The subject property does not have access from Talavera Ridge, as there is additional privately owned property between the street and the subject property. These access issues will have to be resolved before the property can be developed, regardless of the zoning. However, because zoning is one of the earliest phases in the development process, staff supports commercial rezoning of the property, even with the existing access obstacles.

CASE MANAGER : Micah Diaz 207-5876



Zoning Case Notification Plan

Case Z-2009-090

Council District 6

Scale: 1" approx. = 200 Feet

Subject Property Legal Description(s): NCB 18056 - Block 001 - A Portion of Parcel P-40B

Legend

Subject Property		(8.077 Acres)
200' Notification Buffer		
Current Zoning	TEXT	
Requested Zoning Change	TEXT	
100-Year FEMA Floodplain		



Planning & Development Services Dept
City of San Antonio
(04/10/2009 - E Hart)

CASE NO: Z2009090

Final Staff Recommendation - Zoning Commission

Date: May 19, 2009

Council District 6

Ferguson Map: 579 D7

Applicant Name:

Leslie P. Busick

Owner Name:

Leslie P. Busick

Zoning Request From "C-3NA" General Commercial Nonalcoholic Sales District, "C-3R" Commercial Restrictive Alcoholic Sales District and "C-3" General Commercial District to "MF-33" Multi-Family District.

Property Location: 8.077 acres out of NCB 18056

7800 Block of Culebra Road and 7700 Block of Pipers Creek

Northeast side of Culebra Road and southeast side of Pipers Creek

Proposal: To allow development of an apartment complex

Neighborhood Association: Pipers Meadow Neighborhood Association

Neighborhood Plan: None

TIA Statement: A Level 1 Traffic Impact Analysis (TIA) will be required at platting or permitting.

Staff Recommendation:

Approval.

The proposed 8.077 acre development is located in northwest San Antonio at the northeast side of Culebra Road and southeast side of Pipers Creek. The site is currently undeveloped and was annexed in December of 1985. It was originally zoned "B-3NA" Business Non-Alcoholic Sales District, "B-3R" Restrictive Business District and "B-3" Business District, which converted to "C-3NA" General Commercial Nonalcoholic Sales District, "C-3R" General Commercial Restrictive Alcoholic Sales District and "C-3" General Commercial District upon adoption of the 2001 Unified Development Code. "R-6" Single-Family Residential District zoning currently exists to the northeast of the proposed development and to the northwest across Pipers Creek. Property to the southeast is zoned "MF-33" Multi-Family District. Property to the southwest is zoned "C-3R" General Commercial Restrictive Alcoholic Sales District and "C-3" General Commercial District. Land uses immediately adjacent to the proposed development consist of single-family dwellings to the northeast and multi-family dwellings to the southeast with a restaurant to the southwest. There are single-family dwellings and a church to the northwest across Pipers Creek.

The applicant is proposing to construct a multi-family development. "MF-33" zoning allows for multi-family uses with a maximum density of up to 33 units per acre and would allow for the construction of 266 units on the site. The requested "MF-33" zoning is considered a downzoning from the existing "C-3", "C-3R" and "C-3NA" zoning. The requested "MF-33" Multi-Family District is a valid transition between the existing commercial and residential zonings to the northeast and to the northwest across Pipers Creek. "MF-33" is appropriate zoning for this location as this will extend the existing "MF-33" zoning from the southeast. Additionally, "MF-33" zoning is recommended at the periphery of single-family residential neighborhoods. Further, medium and high density developments are encouraged in areas where supporting infrastructure, such as public transportation and commercial facilities are present. The site is located in an area where there is accessibility to public services and traffic circulation to major thoroughfares; Southwest Loop 410 to the southeast and Culebra Road. In addition to these major thoroughfares, there is access to VIA bus stops along Culebra Road.

CASE MANAGER : Pedro Vega 207-7980

CASE NO: Z2009092

Final Staff Recommendation - Zoning Commission

Date: May 19, 2009

Council District: 10

Ferguson Map: 552 C2

Applicant Name:

A. I. A. S., Inc.

Owner Name:

A. I. A. S., Inc.

Zoning Request: From "C-3" General Commercial District to "I-1" General Industrial District.

Property Location: A 0.472 acre tract of land out of Lot 9, Block 1, NCB 17210

12200 Bulverde Road

On the southeast side of Bulverde Road

Proposal: To allow extension of the existing industrial use

Neigh. Assoc. Oak Grove Estates Neighborhood Association (Within 200 feet).

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis (TIA) is not required.

Staff Recommendation:

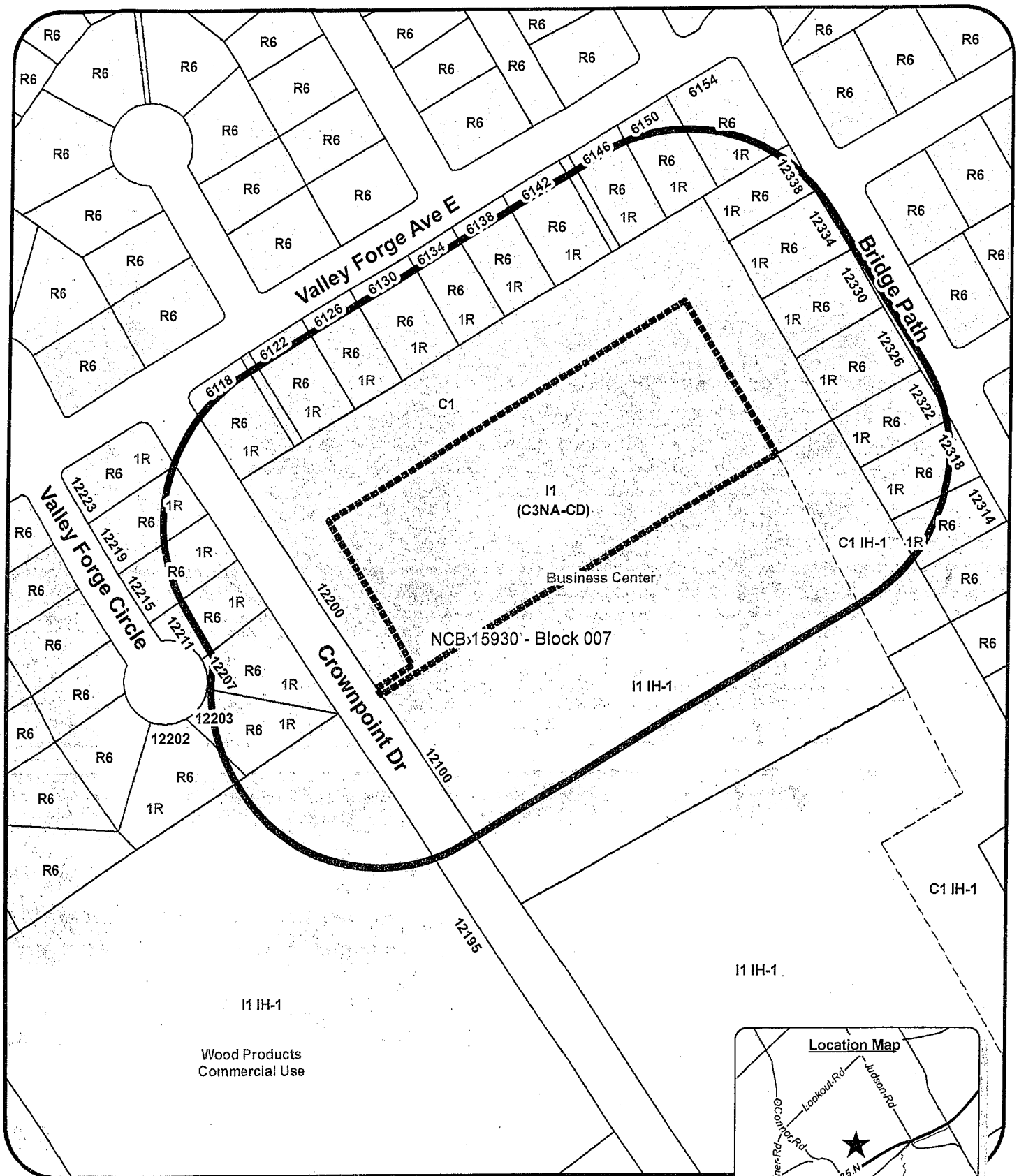
Approval

The subject property was annexed in December of 1972, is undeveloped and totals approximately 0.472 of an acre. Upon adoption of the 2001 Unified Development Code, the existing "C-3" General Commercial District zoning converted from the previous "B-3" Business District. The Oak Grove Estates Neighborhood Association is within 200 feet of the subject property. The property is adjacent to "C-3" General Commercial District and "I-1" General Industrial District to the northeast, "I-1" General Industrial District to the southeast and "R-6" Residential Single-Family District to the southwest with "C-3" General Commercial District across Bulverde Road to the northwest.

The applicant has applied for the "I-1" zoning in order to allow the extension of an existing industrial use. The subject property is a small portion of a parcel which already has a industrial zoning and uses. There is an existing storage warehouse located on Lot 9 near the subject property, which measures approximately 8,000 square feet and was constructed in 2008. Considering the location of the subject property within a business park and its frontage along a major thoroughfare which includes a variety of heavy commercial and industrial frontages and which intersects with Thousand Oaks, staff believes the rezoning request is appropriate. Landscape screening shall be a Type "D" buffer and located between the required fence and the residential use to the south.

The "I-1" district accommodates areas of heavy and concentrated fabrication, manufacturing and industrial uses which are suitable based upon adjacent land uses, access to transportation and the availability of public services and facilities. "I-1" must be located in areas where conflicts with other uses can be minimized to promote orderly transitions and buffers between uses. These districts are located for convenient access for existing and future arterial thoroughfares and railway lines.

CASE MANAGER : Pedro Vega 207-7980



Zoning Case Notification Plan

Case Z-2009-093 CD

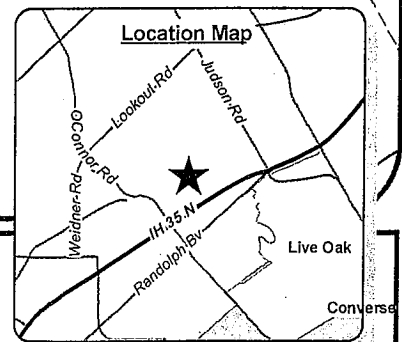
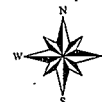
Council District 10

Scale: 1" approx. = 150 Feet

Subject Property Legal Description(s): A Portion of NCB 15930 - Block 007 - Lot 52

Legend

Subject Property		(2.35 Acres)
200' Notification Buffer		
Current Zoning	TEXT	
Requested Zoning Change	(TEXT)	
100-Year FEMA Floodplain		



Planning & Development Services Dept
City of San Antonio
(05/04/2009 - E Hart)

CASE NO: Z2009093 CD

Final Staff Recommendation - Zoning Commission

Date: May 19, 2009

Council District: 10

Ferguson Map: 553 C2

Applicant Name:

TC II Land, LP

Owner Name:

TC II Land, LP

Zoning Request: From "I-1" General Industrial District to "C-3 NA CD" General Commercial District, Nonalcoholic Sales with a Conditional Use for warehousing.

Property Location: Lot 52, Block 7, NCB 15930 save and except that portion of 3.122 acres out of NCB 15724 located within Lot 52

12200 Crownpoint

On the east side of Crownpoint, between East Valley Forge Avenue to the north and IH-35 North to the south.

Proposal: To allow warehousing and a public charter school

Neigh. Assoc. None

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

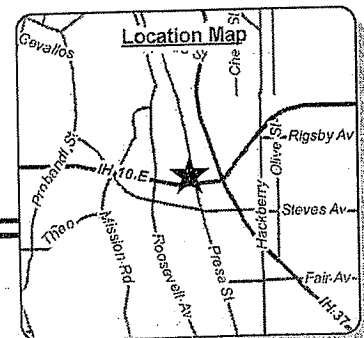
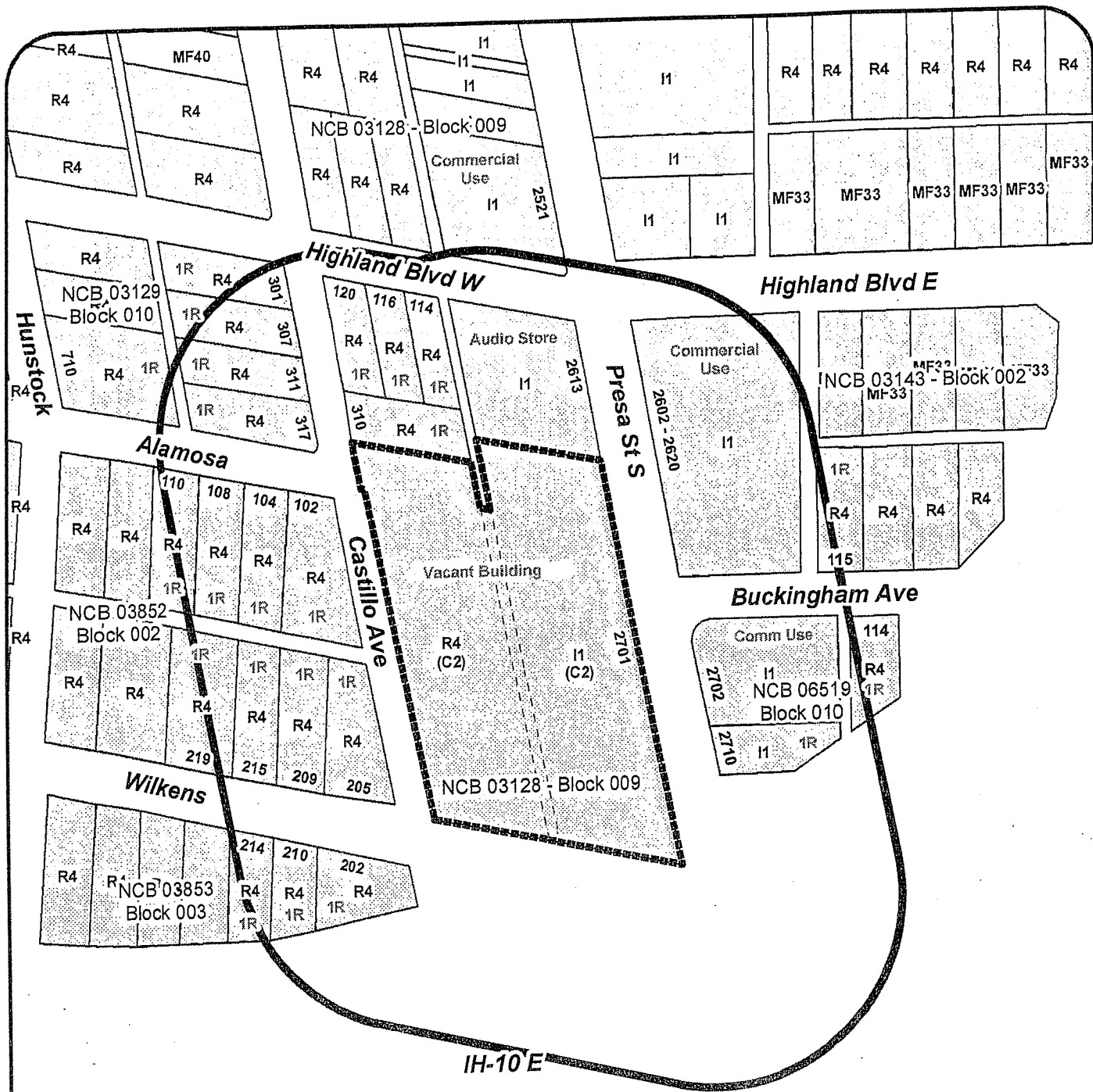
Approval

The subject property is located on the east side of Crownpoint between East Valley Forge Avenue and IH-35 North. The subject property is 4.2710 acres and is occupied by a commercial building that measures approximately 58,800 square feet, which was constructed in 1984. The property is adjacent to R-6 zoning to the north, west and northeast and I-1 zoning to the south and southwest. The surrounding land uses consist of residential dwellings to the north, northeast and west, warehousing to the south and a wood products manufacturing company to the southwest. This property as well as the properties directly to the south, were the subject of a rezoning case (Z9127) in which the applicant was granted a zoning change from Temporary R-1 to B-1 and I-1.

The applicant is requesting this rezoning in order to lease space for the School of Science and Technology, a charter school. According to the Unified Development Code, industrial zoning classifications do not allow public schools. Public schools are allowed in commercial districts, thus the request for C-3. The applicant currently has an existing warehouse use and is requesting the down zoning and conditional use in order to accommodate the charter school and warehouse. A significant amount of I-1 zoning exists within the vicinity of the subject property. Therefore, the C-3 General Commercial District would be appropriate and compatible at this location. Additionally, the existing C-1 zoning would provide an appropriate buffer between the proposed C-3 NA Commercial district to the south, and residential use/zoning to the north and east.

City Council has requested that this case be expedited. It is scheduled to be considered by City Council on May 21, 2009.

CASE MANAGER : Brenda Valadez 207-7945



Zoning Case Notification Plan

Case Z-2009-094

Council District 5

Scale: 1" approx. = 150 Feet

Subject Property Legal Description(s): NCB 03128 - Block 009 - Lots 42, 43, 44, 87 & 88 and
NCB 03852 - Block 002 - Parcel Tr1 or A15

Legend

Subject Property (2.461 Acres)
200' Notification Buffer
Current Zoning TEXT
Requested Zoning Change (TEXT)
100-Year FEMA Floodplain



Planning & Development Services Dept
City of San Antonio
(04/27/2009 - E Hart)

CASE NO: Z2009094

Final Staff Recommendation - Zoning Commission

Date: May 19, 2009

Council District 5

Ferguson Map: 651 A1

Applicant Name:

H. E. Butt Grocery Co., #6 (Todd A. Piland)

Owner Name:

H. E. Butt Grocery Co., #6

Zoning Request From "R-4" Residential Single-Family District and "I-1" General Industrial District to "C-2" Commercial District.

Property Location: Lots 42, 43, 44, 87 and 88, Block 9, NCB 3128 and Lot A-15, NCB 3852

2701 South Presa Street

Northwest corner of South Presa Street and Wilkins Avenue

Proposal: To allow for a commercial project

Neighborhood Association: Roosevelt Park Neighborhood Association

Neighborhood Plan: South Central San Antonio Community Plan

TIA Statement: A Traffic Impact Analysis (TIA) is not required.

Staff Recommendation:

Approval

The subject property is located on south side of the Central Business District, on the west side of South Presa Street, north of Wilkins Avenue and Interstate Highway 10 East. The subject property consists of 2.461 acres and is located within the original city limits. There is an existing vacant commercial building on the subject property which measures approximately 22,027 square feet and was constructed in 1950 and 1998. Upon adoption of the 2001 Unified Development Code, the existing "R-4" Residential Single-Family District and "I-1" General Industrial District converted from the previous "B" Residence District and "J" Commercial District. Surrounding zoning includes "R-4" Residential Single-Family District and "I-1" General Industrial District to the north; with "I-1" General Industrial District across South Presa Street to the east. Property across Castillo Avenue to the west is zoned "R-4" Residential Single-Family District.

The applicant has applied for the "C-2" zoning in order to allow a commercial development. Staff finds the request to be appropriate given the subject property's location along South Presa Street, a major thoroughfare. The "C-2" Commercial District is an appropriate downzoning from "I-1" General Industrial District. The existing structure had previously been utilized as an HEB Grocery Store for many years. The proposed re-use of the existing vacant property would be a substantial improvement to the current conditions of the neighborhood and the surrounding area. This rezoning request is consistent with the South Central Future Land Use Plan land use designation for the subject property.

The "C-2" zoning district permits retail and service activities designed to serve the community such as repair shops and limited retail sales with some outdoor display of goods. This district promotes a broad range of commercial operations and services necessary for large regions of the city.

CASE MANAGER : Pedro Vega 207-7980

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2009094

Address: 2701 S. Presa St.

Existing Zoning: I1, R4

Requested Zoning: C2

Registered Neighborhood Association(s): Roosevelt Park

Neighborhood/Community/Perimeter Plan: South Central San Antonio Community Plan

Future Land Use for the site: Mixed Use

Analysis:

The subject property is a 2.461 acre site with a vacant building situated northwest of the intersection of South Presa Street and IH 37 S. The subject's future land use designation is mixed use, as are the parcels to the north and east of the subject property. The parcels to the west of the subject property are designated low density residential land use.

The South Central San Antonio Community Plan allows for both C1 and C2 zoning districts in the mixed use land use category. Mixed Use provides for a concentrated blend of residential, retail, professional service, office, entertainment, leisure and other related uses at increased densities to create a pedestrian-oriented environment. S. Presa Street is a secondary arterial type B and the intersection of a major arterial and an interstate is ideal for a high intensity use such as a shopping center. In addition, Objective 1 under the Economic Development Goal in the community plan is to "Develop and enhance the community's commercial corridors by improving streetscape appearances and recruiting businesses to employ and provide goods/services to residents" (pg. 9).

This zoning request is consistent with the South Central Future Land Use Plan land use designation for the subject property.

☒ Request conforms to Land Use Plan

☐ Request does not conform to Land Use Plan

☐ Consistency not required because base zoning not changing

Staff Recommendation:

☒ Approval

☐ Denial

☐ Alternate Recommendation

Reviewer: Lauren Edlund

Title: Planner

Date: 04/23/09

Manager Review: Nina Nixon-Mendez

Date:



CASE NO: Z2009095

Final Staff Recommendation - Zoning Commission

Date: May 19, 2009

Council District: 1

Ferguson Map: 616 A2

Applicant Name:
RR Rivas Investments, LLC

Owner Name:
RR Rivas Investments, LLC

Zoning Request: From "I-1" General Industrial District to "C-3" General Commercial District.
Property Location: The south 54.9 feet of the north 108.9 feet of Lots 13, 14 and 15, Block 24, NCB 2094

1506 North Zarzamora

On the east side of Zarzamora, between Lombrano and Henry Street

Proposal: To allow auto sales

Neigh. Assoc. Gardendale Neighborhood Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis (TIA) is not required.

Staff Recommendation:

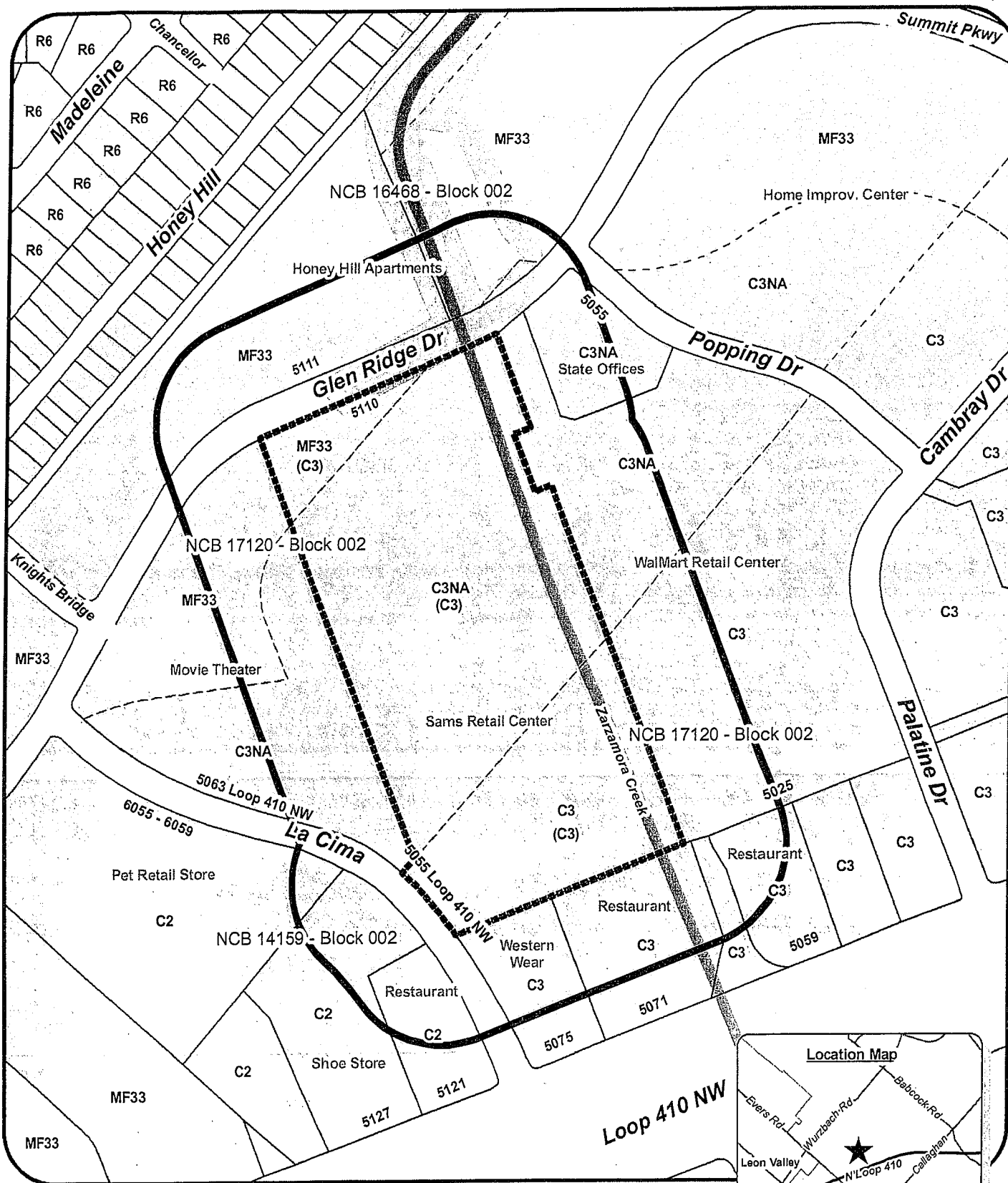
Denial.

The subject property is approximately 0.21 of an acre, located on the eastern side of North Zarzamora between Lombrano and West Laurel Street. The existing vacant structure measures approximately 425 square feet, and was constructed in 1948. The subject property is located within the 1938 city limits, and was originally zoned "J" Commercial District. Upon the adoption of the 2001 Unified Development Code, the previous zoning converted to the current "I-1" General Industrial District. Surrounding zoning includes "I-1" to the north, south, and west of the subject property, along both sides of Zarzamora. Properties located to the east and farther west (on the interior blocks, off of Zarzamora) are zoned "MF-33" Multi-Family District. Surrounding land uses along Zarzamora include commercial uses such as restaurants, auto sales and repair, oil and lube, auto insurance, tax prep, uniform sales, small appliance repair, and a meat market. Properties located along the cross-streets, off of Zarzamora, are single-family residences or vacant lots.

Staff finds the requested "C-3" General Commercial District to be too intense for the subject property's location and size. The "C-3" zoning district is typically considered consistent with Regional Commercial land uses, which are most appropriately located on large-acreage sites at the intersections of freeways and major arterial thoroughfares. This portion of Zarzamora is identified as a Secondary Arterial "Type B", while the area's cross streets are all local, residential roadways.

Staff agrees that the existing "I-1" zoning is too intense for the subject property and other surrounding properties. Although rezoning the subject property from "I-1" to "C-3" could be considered a down-zoning, "C-3" allows many commercial uses which are too intense for the subject property's mid-block location and close proximity to residential uses. Staff does not oppose rezoning the subject property to a lower commercial district, but cannot support rezoning to the highest-intensity commercial district.

CASE MANAGER: Micah Diaz 207-5876



Zoning Case Notification Plan

Case Z2009096

Council District 7

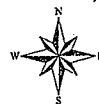
Scale: 1" approx. = 250 Feet

Subject Property Legal Description(s): NCB 17120 - Block 002 - Lot 3

Legend

Subject Property (12.029 Acres)
 200' Notification Buffer
 Current Zoning
 Requested Zoning Change
 100-Year FEMA Floodplain

TEXT
 (TEXT)



Planning & Development Services Dept
 City of San Antonio
 (05/04/2009 - E Hart)

CASE NO: Z2009096

Final Staff Recommendation - Zoning Commission

Date: May 19, 2009

Council District: 7

Ferguson Map: 580 E4

Applicant Name:

Brown & Ortiz, P. C.

Owner Name:

Sam's Real Estate Business Trust

Zoning Request: From "C-3" General Commercial District, "C-3 NA" General Commercial Nonalcoholic Sales District and "MF-33" Multi-Family District to "C-3" General Commercial District.

Property Location: Lot 3, Block 2, NCB 17120

5055 NW Loop 410

On La Cima, approximately 300 feet north of the NW Loop 410 Access Road

Proposal: To allow a grocery store with alcohol sales

Neigh. Assoc. None

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis (TIA) is not required.

Staff Recommendation:

Approval.

The subject property is approximately 12 acres located on La Cima, approximately 300 feet north of the NW Loop 410 Access Road. The existing structure, which was built in 1998, measures approximately 127,000 square feet and is currently used as a grocery store. The subject property was annexed in December 1972, per Ordinance 41425, and was originally zoned "Temp R-1" Temporary Single Family Residence District. In a 1973 zoning case, the subject property was rezoned to "R-3" Multi-Family Residence District and "B-1" Business District. In a 1987 zoning case, the "B-1" portion of the property was rezoned to "B-3 NA" Nonalcoholic Sales District and "B-3" Business District. Upon adoption of the 2001 Unified Development Code, the previous zonings converted to the current "MF-33" Multi-Family District, "C-3 NA" General Commercial Nonalcoholic Sales District and "C-3" General Commercial District. Surrounding zoning includes "C-2" Commercial District and "C-3" to the south along the Loop 410 access road. Properties to the east and west are zoned "C-3 NA"; while properties to the north, northwest and northeast are zoned "MF-33" Multi-Family District. Farther to the northwest, properties are zoned "MF-33", "RM-4" Residential Mixed District and "R-6" Residential Single-Family District. Surrounding land uses include commercial uses along the north side of Loop 410 such as restaurants, a bank, retail uses, and a movie theater; with apartments to the north along Glen Ridge and single-family residences farther north along Honey Hill.

Staff finds the requested zoning to be appropriate for the subject property. This property is part of an existing commercial node, most of which has no alcohol restrictions. The existing grocery store is part of a large-acreage commercial development that has substantial frontage on a freeway, and as such is a suitable location for intense commercial zoning.

CASE MANAGER : Micah Diaz 207-5876

CASE NO: Z2009097

Final Staff Recommendation - Zoning Commission

Date: May 19, 2009

Council District: 2

Ferguson Map: 618 B6

Applicant Name:
Alsbury Crossing, Ltd.

Owner Name:
Alsbury Crossing, Ltd.

Zoning Request: From "R-5" Residential Single-Family District and "C-3" General Commercial District to "C-3" General Commercial District (15.124 acres) and "MF-33" Multi-Family District (12.116 acres).

Property Location: 27.24 acres out of NCB 10675, NCB 10677, NCB 13143, and NCB 13144

3860 IH 10 East

Southeast corner of the intersection of IH 10 East and East Houston Street.

Proposal: To allow a commercial and multi-family development

Neigh. Assoc. None

Neigh. Plan None

TIA Statement: A Level 2 Traffic Impact Analysis is required.

Staff Recommendation:

Approval

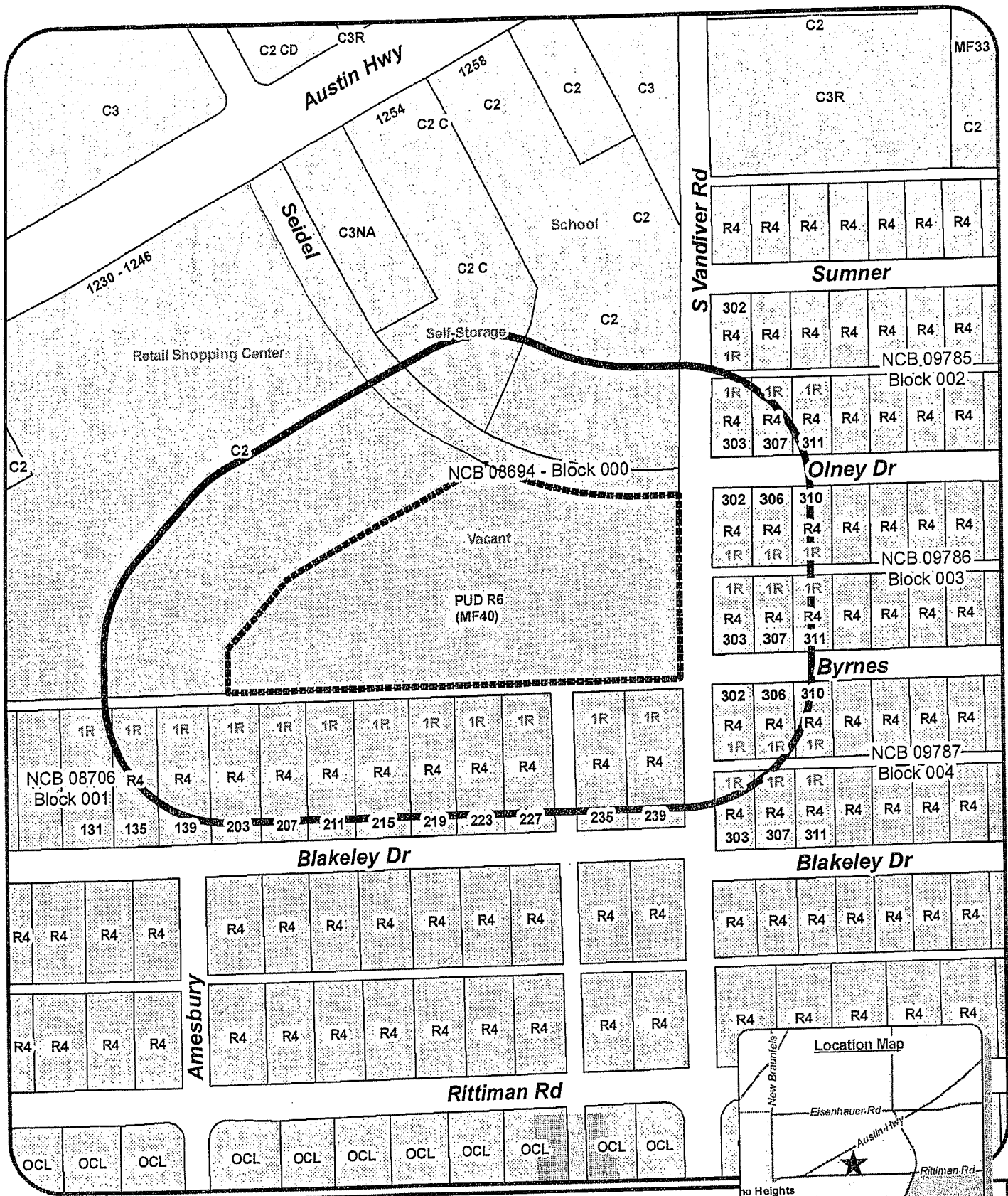
The subject property consists of undeveloped land with frontage on IH 10 East (a freeway) and East Houston Street (a Secondary Arterial "Type B" Street). The property is adjacent to R-5 zoning to the south and east, I-1 and C-3 zoning to the west and C-3, C-2 and R-5 zoning to the north. The surrounding land uses consist of a hotel and vacant land to the north; a church and residential dwellings to the east; undeveloped land to the south and IH 10 East to the west.

The applicant is requesting a zoning change to allow a mixed-use development consisting of office, retail and residential uses. Staff finds the request to be appropriate given the subject property's location at the intersection of a major arterial and freeway as well as the prevalence of commercial zoning and uses to the north and west. The requested zoning is consistent with the development trends and patterns along this portion of IH-10 West. The proposed multi-family residential development would occur closest to the adjacent single-family residences, with an increase in intensity occurring closer to the major arterials. This type of development pattern is common and would not be out of character with the surrounding community. Further, medium and high-density residential districts also serve as transitional districts between non-residential and single-family residential land uses.

Additionally, medium and high-density developments are encouraged in areas where supporting infrastructure, such as public transportation and commercial facilities are present. The site is located in an area where there is accessibility to public services and traffic circulation to major thoroughfares; IH 10 East to the west and East Houston Street to the north. There is also access to VIA bus stops along East Houston Street.

City Council has requested that this case be expedited. It is scheduled to be considered by City Council on May 21, 2009.

CASE MANAGER : Brenda Valadez 207-7945



Zoning Case Notification Plan

Case Z-2009-098

Council District 2

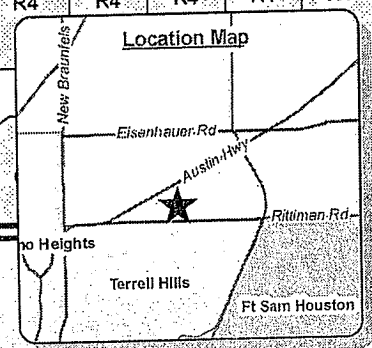
Scale: 1" approx. = 200 Feet

Subject Property Legal Description(s): NCB 08694 - Block 000 - S 1/4 283.25 ft of Lot 17 and portions of Lots 16 and 16A

Legend

Subject Property (4.281 Acres)
 200' Notification Buffer
 Current Zoning
 Requested Zoning Change
 100-Year FEMA Floodplain

TEXT
 (TEXT)



Planning & Development Services Dept
 City of San Antonio
 (04/29/2009 - E Hart)

CASE NO: Z2009098

Final Staff Recommendation - Zoning Commission

Date: May 19, 2009

Council District: 2

Ferguson Map: 583 E4

Applicant Name:
Cooper-Dudley, LLC

Owner Name:
Cooper-Dudley, LLC

Zoning Request: From "PUD R-6" Planned Unit Development Residential Single Family District to "MF-40" Multi-Family District.

Property Location: 4.281 acres out of Tract 16 and Tract 17, NCB 8694

6400 Block of North Vandiver Road

Southwest corner of North Vandiver Road and Seidel Road, approximately 950 feet south of the intersection of Vandiver Road and Austin Highway

Proposal: To allow for multi-family development

Neigh. Assoc. Wilshire Village Neighborhood Association

Neigh. Plan Northeast Inner Loop Neighborhood Plan

TIA Statement: A Traffic Impact Analysis (TIA) is not required.

Staff Recommendation:

Denial of "MF-40" Multi-Family District, with an alternate recommendation of "MF-25" Multi-Family District. An "MF-25" district designation may be applied to property in a residential neighborhood that is proposed to contain a mixture of single family and multi-family uses or in an area for which limited density multi-family use is desired.

The proposed 4.281 acre development is located in northeast San Antonio at the southwest quadrant of North Vandiver Road and Seidel Road. The site is currently undeveloped and was annexed in April of 1947. The project site was zoned "F" Local Retail at annexation, converting to "C-2" Commercial District upon adoption of the 2001 Unified Development Code. In December of 2007, the 4.281 acre site was granted a zoning change from "C-2" Commercial District to "PUD R-6" Planned Unit Development Residential Single-Family District. "C-2" Commercial District zoning currently exists to the west of the proposed development and to the north across Seidel Road. Property to the east across North Vandiver Road is zoned "R-4" Single-Family Residential District. Property to the south is zoned "R-4" Single-Family Residential District. Land uses immediately adjacent to the proposed development consist of a retail shopping center to the west and a school facility to the north across Seidel Road. There are single-family dwellings to the east across North Vandiver Road and to the south. There is a 15 foot wide alley located to the south, which separates the proposed 4.281 acre development from an adjacent "R-4" Single-Family Residential District.

The applicant has applied for the zoning change in order to develop a multi-family development. The requested High-Density Residential zoning district is supported by the Northeast Inner Loop Neighborhood Plan. However, due to the lack arterial frontage, "MF-40" is not appropriate density for this location. The requested "MF-40" zoning would allow for a density of up to 170 single-family units on 4.281 acres and would significantly impact the existing residences and neighborhood. Staff believes that if there is concern regarding the potential density, "MF-25" zoning is a viable option that would limit the potential units to 107. The "MF-25" Multi-Family District can function as a compatible transition between medium and low density residential and commercial uses.

CASE MANAGER : Pedro Vega 207-7980

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2009098

Address: 4.281 Acres Out of NCB 8694, Lot S

Existing Zoning: PUD R6

Requested Zoning: MF-40

Registered Neighborhood Association(s): Wilshire Village Neighborhood Association

Neighborhood/Community/Perimeter Plan: Northeast Inner Loop Neighborhood Plan

Future Land Use for the site: High Density Residential

Analysis:

According to the Northeast Inner Loop Land Use Plan, the subject property is designated as High Density Residential use. The surrounding land uses are Low Density Residential to the south and to the east, Community Commercial to the west, and Parks/Open Space to the north. High Density Residential Development includes multi-family developments with more than four units on a single lot, such as apartment complexes, but can also include low density and medium density residential uses. It can function as a compatible transition between medium and low density residential and higher intensity commercial uses. This form of development should be located along collectors, arterials, or highways. High Density Residential uses should be appropriately buffered from adjacent residential uses through landscaping, screening and lighting controls.

The requested High-Density Residential zoning district is supported by the adopted plan. However, due to the lack arterial frontage, MF-40 is not appropriate density for this location. According to the Major Thoroughfare Plan, neither Seidel nor S. Vandiver Road is a major thoroughfare.

Alternate Recommendation:

A High Density Residential use with less density is more suitable for this location. A MF-25 zoning district will be a better transition from single family uses to the south and to the east to high intensity commercial uses to the west and north along the Austin Highway corridor.

☒ Request conforms to Land Use Plan

☐ Request does not conform to Land Use Plan

☐ Consistency not required because base zoning not changing

Staff Recommendation:

☐ Approval

☐ Denial

☒ Alternate Recommendation for MF-25

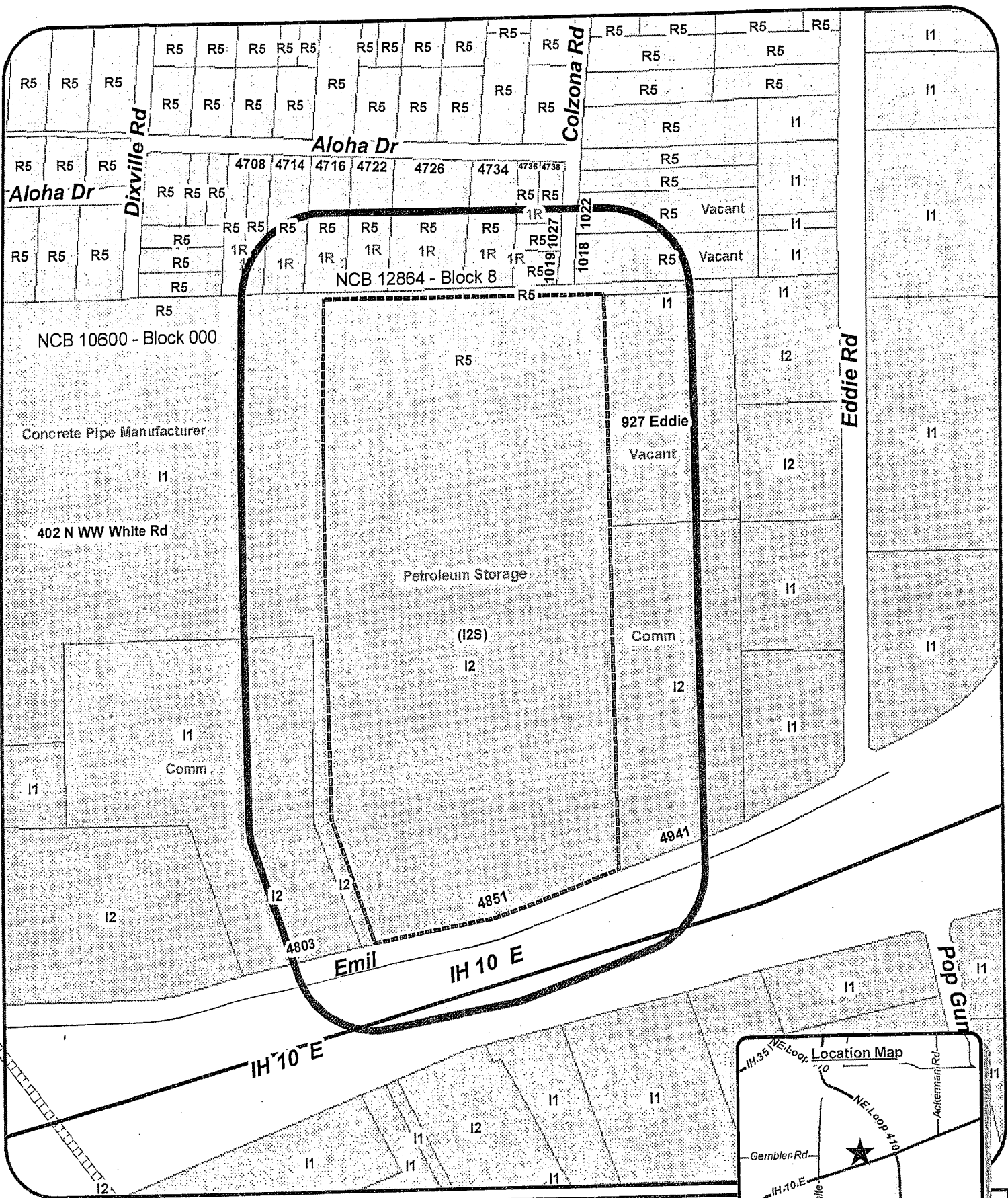
Reviewer: John Osten

Title: Sr. Planner

Date: 04/27/2009

Manager Review: Nina Nixon-Mendez

Date:



Zoning Case Notification Plan

Case Z-2009-100 S

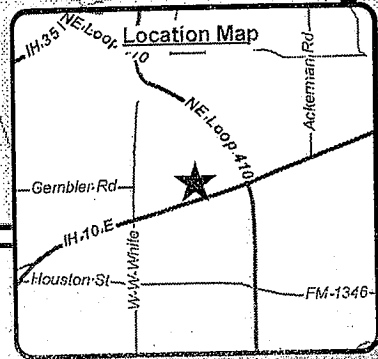
Council District 2

Scale: 1" approx. = 300'

Subject Property Legal Description(s): NCB 10600 BLK LOT 4

Legend

- Subject Property (22.096 Acres)
- 200' Notification Buffer
- Current Zoning TEXT
- Requested Zoning Change (TEXT)
- 100-Year FEMA Floodplain



Planning & Development Services Dept
City of San Antonio
(04/29/2009 - P Trinkle)

CASE NO: Z2009100 S

Final Staff Recommendation - Zoning Commission

Date: May 19, 2009

Council District 2

Ferguson Map: 618 D4

Applicant Name:
CITGO Petroleum Corporation

Owner Name:
CITGO Petroleum Corporation

Zoning Request From "I-2" Heavy Industrial District and "R-5" Residential Single-Family District to "I-2 S" Heavy Industrial District with a Specific Use Authorization for Petroleum Manufacturing or Processing.

Property Location: Lot 4, NCB 10600

4851 Emil Street

On the north side of Emil Street, southwest of Eddie Road

Proposal: To allow for a fuel storage and distribution facility (Ethanol)

Neighborhood Association: None

Neighborhood Plan: Arena District/Eastside Community Plan

TIA Statement: A Traffic Impact Analysis (TIA) has been waived for the following reason: Construction will be for storage tanks only.

Staff Recommendation:

Approval

The subject property is located within the Arena District/Eastside Community Plan and consistency is not required because the base zoning is not proposed to be changed. As defined in the plan, the subject parcel is located in the north east quadrant which is described as having a more industrial character, including a combination of light and heavy industrial uses, service businesses and distribution uses. It is also situated in very close proximity to the IH 10 E and NE Loop 410 interchange. The application of zoning is designed to concentrate similar uses and prevent conflicts between incompatible uses; this is especially true of industrial uses where potentially hazardous uses with high volumes of truck traffic are common.

The subject property is currently an existing fuel storage and distribution facility and totals 22.096 acres. The facility currently stores gasoline and diesel fuel with associated fuel additive products for distribution to the community. The industrial zoning common in the area generally dates to the 1960's, including the current "I-2" zoning for the subject property. The adoption of the 2001 UDC resulted in the "LL" First Manufacturing District being converted to "I-2" Heavy Industrial District. The applicant is proposing to truck in ethanol and store it in three 30,000 gallon newly proposed tanks. The proposed ethanol storage capacity is about 90 gallons, presently identified by the Unified Development Code as a use permitted by right only in the "I-2" zoning district. Under previous zoning regulations, petroleum storage was identified as a permitted use in the "LL" and "I-1" districts. The petroleum manufacturing or processing of a petroleum product is also permitted in the "I-2" district but only with the approval of a Specific Use Authorization.

The subject property is located on Emil Street, a collector street with direct access to W.W. White Road a major thoroughfare and Interstate Highway 10 East. The property is adjacent to "I-2" Heavy Industrial District and "I-1" General Industrial District to the west and east with "R-5" Residential Single-Family District to the north. The surrounding land uses consist of industrial uses to the east and west and single-family dwellings to the north. New development in an "I-2" district would be subject to strenuous development standards when abutting residential uses, such as 50-foot side and rear setbacks and a 40-foot landscape buffer. The

CASE NO: Z2009100 S

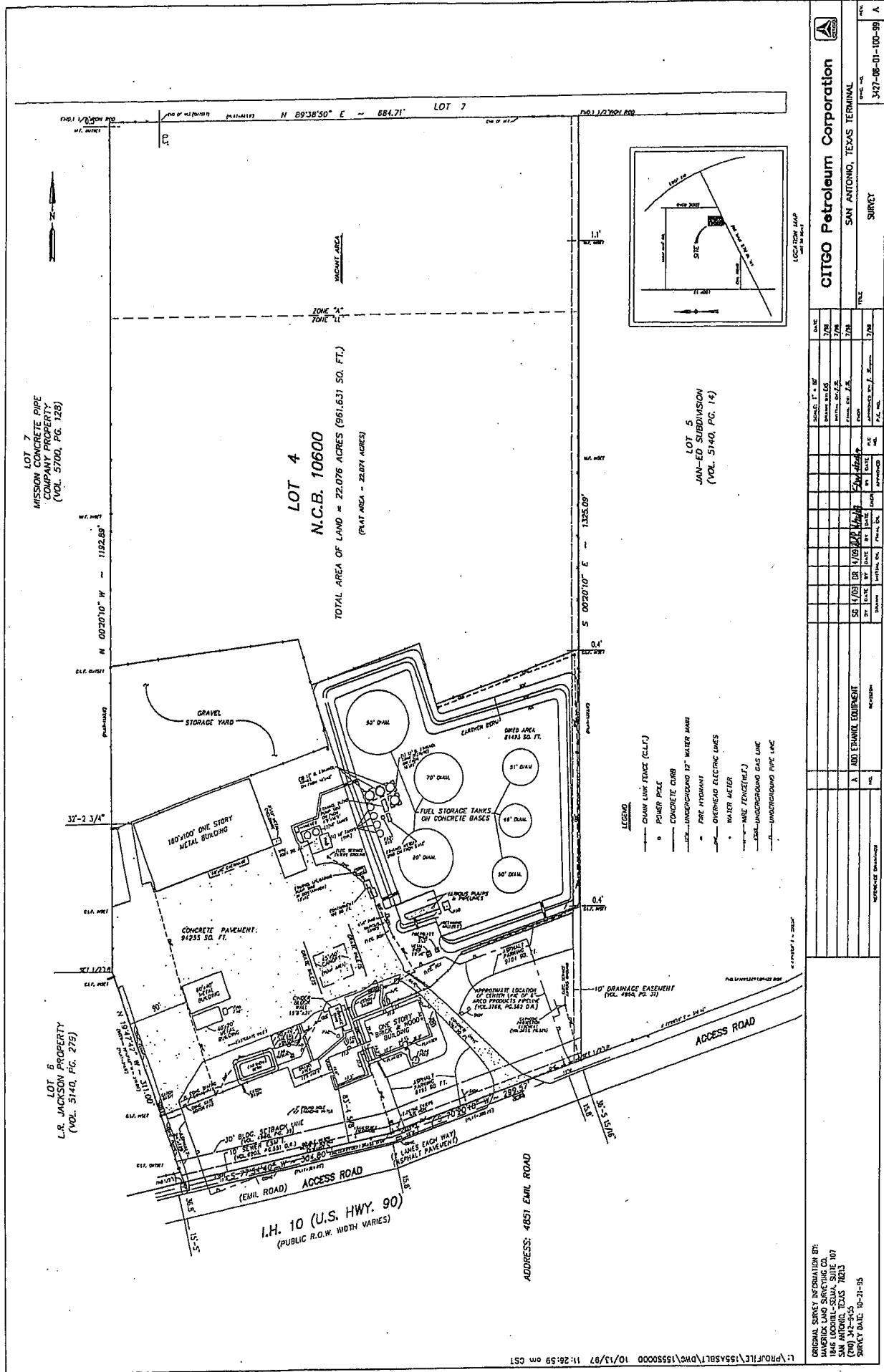
Final Staff Recommendation - Zoning Commission

subject property is a relatively small lot which would offer no protection for the surrounding residences. The purpose of these landscaping, screening, and buffer requirements is to provide standards that will protect the health, safety and general welfare of the community. Due to these factors, staff believes that the proposed use is appropriate for the location and supports this request for a Specific Use Authorization designation.

The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but which may, under the right set of circumstances and conditions be acceptable in certain specific locations.

City Council has requested that this case be expedited. It is scheduled to be considered by City Council on May 21, 2009.

CASE MANAGER : Pedro Vega 207-7980



Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2009100

Address: 4851 Emil

Existing Zoning: I-2

Requested Zoning: I-2 S

Registered Neighborhood Association(s): None

Neighborhood/Community/Perimeter Plan: Arena District/Eastside Community Plan

Future Land Use for the site: Regional Commercial and Light Industrial
Regional Commercial development includes high-density land uses that draw its customer base from a larger region. Regional Commercial uses are typically located at intersection nodes along major arterial highways and expressways, or along rapid transit system transfer nodes. These commercial nodes are typically 20 acres or greater in area.

Light Industrial includes a mix of light manufacturing uses, office park, and limited retail and service uses that service the industrial uses with the proper screening and buffering, all compatible with adjoining uses. High quality development is desired. Outside storage is not permitted (must be under roof and screened).

Analysis:

The subject property is an existing CITGO fuel storage and distribution facility. The current request is to allow ethanol to be trucked in, stored on site, and mixed at a 10% ethanol / 90% gasoline blend, which according to the application is government mandated. The site plan indicates that the facility footprint will not be expanded to the back portion of the parcel which is currently vacant and provides a buffer to the adjacent residential properties. The application also states that "the introduction of ethanol into an existing fuel storage facility will not impact the health, safety or welfare of the general public any differently than the facility currently does" (pg. 7 of 10).

As defined in the plan, the subject parcel is located in the North East Quadrant which is described as having a more industrial character, including a combination of light and heavy industrial uses, service businesses and distribution uses. It is also situated in very close proximity to the IH 10 E and NE Loop 410 interchange. Industrial uses surround the parcel on the east and west and the IH 10 access road is to the south. To the north, residential uses do exist and every consideration should be taken to ensure their health, safety and well-being. The northern portion of the subject property which is currently zoned with R-5 should remain the same as a buffer to the adjacent residential properties.

☐ Request conforms to Land Use Plan ☐ Request does not conform to Land Use Plan

☒ Consistency not required because base zoning not changing

Other Comments:

Staff Recommendation:

☒ Approval ☐ Denial

Reviewer: Andrea Gilles

Title: Senior Management Analyst

Date: 04/29/2009

Manager Review: Nina Nixon-Mendez

Date: 04/30/2009

11/06/08